

Attorney Docket No: 00067.01R

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: HALE ET AL. } EXAMINER: HAGHIGHATIAN, M.  
SERIAL NO.: 10/718,982 } ART UNIT: 3761  
FILED: NOVEMBER 20, 2003 } CONF NO: 2735  
FOR: DRUG CONDENSATION }  
AEROSOLS AND KITS }

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR AMENDMENT OF INVENTORSHIP UNDER 37 CFR § 1.48(a)**

Sir:

Applicant hereby requests a correction of inventorship for the referenced nonprovisional patent application. The inventor Jeffrey A. McKinney was omitted in error upon the filing of this application with no deceptive intention on the part of the omitted inventor or inventors. A Statement from the omitted inventor is enclosed (37 C.F.R. § 1.48(a)(2)).

An declaration signed by the inventors is also enclosed (37 C.F.R. § 1.48(a)(3)).

An assignment was executed by the original inventors. Written consent of the assignee is enclosed. (37 C.F.R. § 1.48(a)(5)), along with a copy of a Statement Under 37 C.F.R. § 3.73(b).

A check in the amount of \$ 130.00 is enclosed ((37 C.F.R. § 1.48(a)(4)). The undersigned hereby authorizes any deficiency in the fees to be charged to deposit account No. 19-5117.

10/28/2005 STEUMEL1 00000056 10718982

01 FC:1464

130.00 OP

Respectfully submitted,

Date: October 24, 2005

Darla G. Yoerg, #48,058  
Swanson & Bratschun, L.L.C.  
1745 Shea Center Drive, Suite 330  
Highlands Ranch, Colorado 80129  
Telephone: (303) 268-0066  
Facsimile: (303) 268-0065

cc: W. Leschensky

S:\CLIENT\FOLDERS\ALEXZA\67.01\REQ FOR CORRECTION OF INVENTORSHIP.DOC

37 CFR 1.8

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on October 24, 2005.

Signature:   
Name: Tasha L. Pierce



PATENT  
Attorney's Docket No.: 00067.01R

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: HALE, Ron, et al.	)	EXAMINER: HAGHIGHATIAN, Mina
	)	
SERIAL NO.: 10/718,982	)	ART UNIT: 1616
	)	
FILED: June 19, 2003	)	CONF. NO.: 2375
	)	
TITLE: DRUG CONDENSATION	)	
AEROSOLS AND KITS	)	

Mail Stop \_\_\_\_\_  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CONSENT OF ASSIGNEE TO  
AMENDMENT OF INVENTORSHIP UNDER 37 CFR § 1.48(a)**

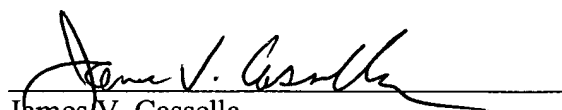
Sir:

The assignee of the above-captioned application, hereby consents to the amendment of inventorship of the application. I have authority to act on behalf of the assignee.

ALEXZA Molecular Delivery Corporation

Date: JUN 16 2005

By:

  
James V. Cassella  
Vice President, Research and Development



PATENT  
Attorney's Docket No.: 00067.01R

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Hale, et al.	)	EXAMINER: Haghighatian, Mina
	)	
SERIAL NO.: 10/718,982	)	ART UNIT: 1616
	)	
FILED: June 19, 2003	)	CONF. NO.: 2375
	)	
TITLE: DRUG CONDENSATION	)	
AEROSOLS AND KITS	)	

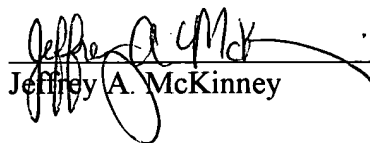
Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

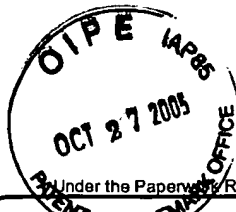
**REQUEST FOR  
AMENDMENT OF INVENTORSHIP UNDER 37 CFR § 1.48(a)**

Dear Sir:

I, Jeffrey A. McKinney, am an inventor of the above-captioned patent application. I was omitted as an inventor in the above-captioned patent application. The error in inventorship occurred without deceptive invention on my part.

Date: June 5, 2005

  
\_\_\_\_\_  
Jeffrey A. McKinney



PTO/SB/01A (09-04)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN  
APPLICATION DATA SHEET (37 CFR 1.76)****Title of  
Invention****Drug Condensation Aerosols and Kits**

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
- ☒ Application No. 10/718,982, filed on November 20, 2003,
- ☐ as amended on \_\_\_\_\_ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

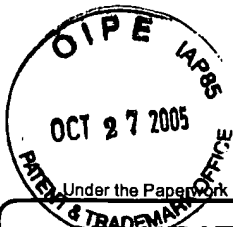
I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

**FULL NAME OF INVENTOR(S)**Inventor one: Daniel J. MyersSignature: [Signature] Citizen of: United StatesInventor two: Joshua D. RabinowitzSignature: [Signature] Citizen of: United StatesInventor three: Martin J. WensleySignature: [Signature] Citizen of: United States-Kingdom MWInventor four: Jeffrey A. McKinneySignature: [Signature] Citizen of: United States☒ Additional inventors or a legal representative are being named on \_\_\_\_\_ additional form(s) attached hereto.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PTO/SB/01A (09-04)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN  
APPLICATION DATA SHEET (37 CFR 1.76)****Title of  
Invention****Drug Condensation Aerosols and Kits**

As the below named inventor(s), I/we declare that:

This declaration is directed to:

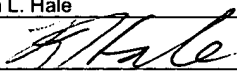
- ☐ The attached application, or
- ☒ Application No. 10/718,982, filed on November 20, 2003,
- ☐ as amended on \_\_\_\_\_ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

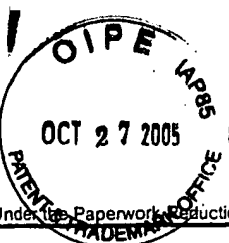
I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

**FULL NAME OF INVENTOR(S)**Inventor one: Ron L. HaleSignature:  Citizen of: United StatesInventor two: Craig C. HodgesSignature:  Citizen of: United StatesInventor three: Peter M. LloydSignature:  Citizen of: United StatesInventor four: Amy T. LuSignature:  Citizen of: United States☒ Additional inventors or a legal representative are being named on \_\_\_\_\_ additional form(s) attached hereto.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: ALEXZA Molecular Delivery Corporation

Application No./Patent No.: 10/718,982 Filed/Issue Date: 11/20/2003

Entitled: DRUG CONDENSATION AEROSOLS AND KITS

ALEXZA Molecular Delivery Corporation, a corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or  
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

COPY

in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 014737, Frame 0145, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.  
[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

James V. Casella  
Signature

FEB 0 1 2005  
Date

James V. CASSELLA  
Printed or Typed Name

650-687-3900  
Telephone Number

Sr. VP, Research & Development; ALEXZA Molecular Delivery Corporation  
Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.